

COMMONWEALTH OF MASSACHUSETTS
Board of Conciliation and Arbitration

ANNUAL REPORT -- FISCAL YEAR 1977

State Library of Massachusetts

During the past year two Massachusetts Board issues captured public attention: contract negotiations involving State employees and the Commonwealth, and legislative lobbying with respect to the extension of our final offer arbitration law.

I. COMMONWEALTH/ALLIANCE NEGOTIATIONS

The Alliance, which represents 40,000 State employees reached a settlement with the Commonwealth in June, 1976, but it was not ratified by the membership. Negotiations resumed, and the Commonwealth petitioned the Board for assistance in August, 1976. Because of the irreconcilable differences between the parties, mediation efforts by the Board were unsuccessful. The Board was then asked to select a factfinder. In early September the Board appointed a factfinding panel consisting of Abraham Siegel of M.I.T., Chairman; George Hildebrand of Cornell, and Clyde Summers of the University of Pennsylvania. The panel sat for three days each week until the hearings were concluded. On October 21, the panel issued its report and recommendations which were accepted by the parties, and in November, the contract was overwhelmingly ratified by both parties.

Commonwealth negotiations now appear to be running smoothly. In June, 1977 Commonwealth/Alliance negotiations culminated in a successor three-year contract. The Board will administer the grievance arbitration provisions of the agreement.

Another unit of State employees, the Massachusetts Law Enforcement Council, reached successful conclusion of a collective bargaining agreement with the Commonwealth in July, after completion of mediation and factfinding procedures.

II. BOARD STATISTICS

	<u>FY 1976</u>	<u>FY 1977</u>
Public Sector (Non Police/Fire)		
Settled in mediation	219	170
In mediation	2	94
In factfinding	2	33
Settled during factfinding	36	7
Settled after factfinding	12	2
Recent reports -- results yet uncertain	6	0
	<hr/>	<hr/>
TOTAL CASELOAD	277	306
Police/Fire	<u>FY 1976</u>	<u>FY 1977</u>
Settled in mediation	46	42
In mediation	0	29
In factfinding	3	58
Settled during factfinding	19	9
Settled after factfinding	16	1
Recent reports -- results yet uncertain	3	2
On to Final Offer Arbitration	<hr/> 32	<hr/> 18
TOTAL CASELOAD	120	159

III. FINAL OFFER ARBITRATION

The Massachusetts final offer arbitration statute for police and firefighters came under close scrutiny over the past year because it was due to expire unless extended by legislative enactment. The Board, in order to advise the Legislature on the results of the expiring two year experimental period, requested that a study be undertaken to determine the effects, and in particular the economic effects of the statute on collective bargaining. In May 1977, the study was completed by the Sloan School of Management at Massachusetts Institute of Technology. "The Impact of Final Offer Arbitration in Massachusetts: An Analysis of Police and Firefighter Collective Bargaining." by David B. Lipsky and Thomas A. Barocci, with William Suojanen is primarily an economic assessment of the impact of the statute upon wages of police and firefighters. The study secondarily examined the effect, if any, the statute has had on the collective bargaining process.

The MIT study, for the period 1972-1977, reached the following conclusions:

- 1) "The number of police and fire impasses increased significantly after the passage of the final offer statute....In addition, the effectiveness of mediation in achieving settlements in public safety impasses seemed to decline after the law was passed. To what extent these changes in the process can be

attributed to a "chilling effect" created by the law itself, to the parties' desire to experiment with a new technique of dispute settlement, or to the tougher economic climate that prevailed after 1974 is problematical.

2) In general we find no significant relationship between the state of settlement in police and fire bargaining (either before or after the passage of the final-offer statute) and the rate of change of police and fire salaries. Salary changes resulting from arbitration awards were not significantly different from salary changes achieved without impasse, in mediation, or in fact-finding...

3) ...On net, the salaries of police and fire employees in the Commonwealth have increased at about the same rate as the salaries of comparable groups elsewhere in the Northeast.

4) Statistical analysis of the relation between police and fire salary movements and stage of settlement, controlling for other factors that might influence salary changes, demonstrates that [with one minor exception] the salaries of police and firefighters are not significantly different from what one would have expected in the absence of the final-offer statute...

5) In most cases, the other economic and environmental factors that we expected to be related to police and fire salary changes had no influence or a weak influence at best. Such factors as state aid, the full value assessments per capita, and the

community's unemployment rate had a negligible influence on salary changes. There is, on the other hand, some evidence that a "catch up" effect was operative in police and fire settlements for the years under study..."

Other interesting statistics contained in the study include the following:

- 1) 37 final-offer awards were issued in the first two and one-half years of the law, or only 5% of those cities and towns that negotiated new police and fire contracts went to arbitration.

- 2) It takes just over 12 months from the time the parties petition for mediation until the arbitration award is rendered. Strong lobbying efforts were undertaken by interested parties either for or against extension of the law; the issue was intensely debated even through the media.

On June 27, 1977 the Massachusetts Legislature enacted Chapter 347 of the Acts of 1977, which extended, with some modifications, the final offer arbitration provisions of Chapter 150E.

Significant changes in the law are:

- 1) The parties by mutual agreement may waive factfinding and move directly from mediation to arbitration.

- 2) Parties may mutually agree to arbitrate before a single arbitrator in lieu of the tripartite arbitration panel.

- 3) The arbitrator or arbitration panel may select as the award either the employer's final offer, the employee organization's final offer, or the fact-finder's recommendations. (Previously

the panel could select only from between the last best offers of the two parties.)

4) Written opinions are required and must analyze the statutory criteria. (Previously, a written opinion was optional.)

5) The statutory factors to be weighed in arriving at an arbitration decision are more clearly spelled out in the area of the financial ability of a municipality to meet costs.

6) Minimum manning as a subject for negotiators is determined to be permissive. And limitations upon the scope of arbitration which previously applied only to police (i.e., exclusion of issues involving the right to appoint, promote, assign, and transfer employees) are now imposed in a similar fashion upon firefighters.

7) Finally, part-time members of a unit of police or firefighters are excluded from the final offer provisions of the law.

IV. INTERNSHIP PROGRAM

A prerequisite to eligibility for membership on the Board's roster of factfinders and arbitrators is labor experience in a neutral capacity. In order to enable and encourage persons who exhibit great potential but who lack practical experience in the field, the Board has instituted an internship program. Interns serve part-time at the Board for a period of one year, during which time they will accompany the staff to mediation sessions, observe the Board in arbitration hearing, and conduct research assignments.

After successful completion of a year's training in mediation and arbitration procedures and techniques, the Board will add the intern's name to its list of qualified factfinders and arbitrators.

JUN 28 1982



The Commonwealth of Massachusetts
Executive Office of Manpower Affairs
Department of Labor and Industries
Board of Conciliation and Arbitration

Leverett Saltonstall Building, Government Center
100 Cambridge Street, Boston 02202

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ANNUAL REPORT OF THE
MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

The Massachusetts Board of Conciliation and Arbitration has the responsibility for administering procedures for resolving collective bargaining impasses under the State Collective Bargaining Law and provides a mediation service and a grievance procedure for private industry within the Commonwealth. In the public sector, the Board's procedures comprise mediation, fact-finding, interest arbitration and grievance arbitration. In the private sector the procedures comprise mediation and grievance arbitration.

The Board is composed of three Associate Commissioners, one representing labor, one management and one sitting as the neutral member.

It is the duty of the Commissioners to hear arbitration cases which arise during the life of collective bargaining agreements in both the public and private sectors. In addition to the Commissioners, the Board maintains Counsel, a staff of full time mediators and a support staff.

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BOARD OF CONCILIATION AND ARBITRATION

MEDIATION AND FACTFINDING

CASE DISPOSITIONS

<u>PUBLIC SECTOR</u>	1976	<u>FISCAL</u>	1977
Settled in Mediation	221		248
Still in Mediation	0		0
In factfinding	0		0
Settled During Factfinding	37		36
Settled After Factfinding	18		23
Negotiating after Factfinding	0		0
	—		—
<u>TOTAL</u>	276		307

<u>POLICE /FIRE</u>	1976	<u>FISCAL</u>	1977
Settled in Mediation	45		56
Still in Mediation	0		0
In factfinding	0		7
Settled During Factfinding	21		14
Settled After Factfinding	23		26
Negotiating after Factfinding	30		7
Petitioned for Final Offer	30		51
	—		—
<u>TOTAL</u>	119		161

FISCAL YEAR 1977

Total Cases Received	153
Cases Withdrawn or Settled	44
Cases Closed Other Than by Formal Award	6

To: RA 6

Awards Rendered	48
Total FY 77 Cases Pending at Close of FY 79	55
Total FY 77 Cases Disposed of in FY 1977	98

FY 76 Cases: Pending at Beginning of FY 77	50
FY 76 Cases: Settled or Withdrawn in FY 77	11
FY 76 Cases: Awards in FY 77	36
FY 76 Cases: Pending at Close of FY 77	3

FY 75 Cases: Pending at Beginning of FY 77	6
FY 75 Cases: Settled or Withdrawn in FY	2
FY 75 Cases: Awards in FY 77	3
FY 75 Cases: Pending at Close of FY 77	1

Total Cases on Docket During FY 1977	209
Total Cases Disposed of in FY 1977	150

FISCAL YEAR 1977

Alden Corrogated Container Corp.	70
Athol	4
Auburn	34, 35, 36
Berklee College of Music	71, 74
Bicknell-Fuller Corrogated Container Corp.	78
Boston Fruit and Produce and Auction Co.	22
Boston Metal Door Co.	52
Brinks Inc.	14
Checker Taxi Co.	6
Chelsea	9, 10, 11
Cliquot Club	53, 21, 30, 33
Columbia Mfg. Co.	81
Dighton	15
Eastern Co. d/b/a East Co.	77
Fall River	41, 51
Frionor Kitchens Inc.	40
Frito-Lay Inc.	29
General Sand and Stone Corp.	82
Great Atlantic and Pacific Tea Co.	56
H.A. Joynson Co.	17
H.H. Brown Shoe Co.	50

Hemingway Transport Inc.	75
Hertz Corp.	28, 32
Hyde Athletic Industries	65
Jacob Ruppert d/b/a Frrest Brewing	45
John S. Lane and Sons Inc.	54
Lawrence Technical Impex Corp.	16
Leominster	66
Lawrence, City of	85
Lily Transport Lines	39, 69
Maritime Terminal Inc.	7, 37, 64
Malboro	36
Mas Okum Furniture Co.	5
Metropolitan Greetings, Inc.	55
Nashoba Valley	1, 2
New England Foundry Co.	20
Northampton	67
Northeast Metropolitan Reg. H.S.	60, 70, 76, 79
Norwood	38, 43, 73
O.R. Cote Co.	83
Pilgrim Laundry and Clearwater Laundry	72
Rising Paper Co.	3
Shasta Beverages Inc.	13
Spencer	46
Stride Rite	19, 68
Sturtevant & Hook	8

Textile Shield Co. Inc.	42
Stop & Shop Bakery	23
Swansea	62, 84
Tewksbury	31
Wareham	63
Walpole	47, 48, 49, 58, 59
Webster	12
West Springfield	41, 57
Westborough	61
Westwood Cartage	24, 25, 26, 27
Woburn	18
Worcester	80



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

July 13, 1976


In the matter of the joint application for arbitration of a controversy between
NASHOBA VALLEY TECHNICAL HIGH SCHOOL TEACHERS ASSOCIATION
AND
NASHOBA VALLEY TECHNICAL HIGH SCHOOL DISTRICT COMMITTEE

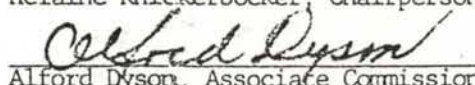
(ARB. 79-1976)

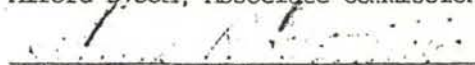
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The School District Committee violated the collective bargaining agreement by refusing to place the grievants on the "VB" level of the salary schedule. The School District Committee shall pay the grievants the difference between their current salary and the salary of teachers on the "VB" level plus 6% interest per annum from September 29, 1975.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Associate Commissioner


Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

July 13, 1976

In the matter of the joint application for arbitration of a controversy between

NASHOBA VALLEY TECHNICAL HIGH SCHOOL TEACHERS ASSOC.

Arb. 81-19

AND

NASHOBA VALLEY TECHNICAL HIGH SCHOOL DISTRICT COMMITTEE

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows: We determine that the grievance is without merit and is therefore dismissed.

BY THE BOARD:

Helaine Knickerbocker
HELAINE KNICKERBOCKER, CHAIRPERSON

Alfred Dyson
Alfred Dyson, Assoc. Commissioner

Selma Gottlieb
Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 19, 1976

In the matter of the joint application for arbitration of a controversy between

Rising Paper Company

and

United Paperworkers International Union AFL-CIO Local #1584 (Arb. 111-1976)

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

- (1) "The Company is in violation of Section 17 of the Labor Agreement (Job Bidding Procedures). We award in this case for the grievant, Thomas Cairns. The Company is directed to change grievant back to original job bid. (Wm. Fenkles Tower).
- (2) "The Company is not in violation of the labor agreement relating to coffee breaks. The grievance is dismissed."

BY THE BOARD:

Helaine Knickerbocker
HELAINÉ KNICKERBOCKER, CHAIRPERSON

Alford Dyson
ALFORD DYSON, ASSOCIATE COMMISSIONER

Selma R. Gottlieb
SELMA R. GOTTLIEB, ASSOCIATE COMMISSIONER



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 20, 1976

In the matter of the joint application for arbitration of a controversy between

ATHOL SCHOOL COMMITTEE
AND
ATHOL TEACHERS ASSOCIATION

ARB. 103 - 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE SCHOOL COMMITTEE, HAVING VIOLATED THE CONTRACT BY REFUSING TO GRANT A TWELVE-MONTH LEAVE TO THE GRIEVANT, IS DIRECTED TO GRANT SAID LEAVE.

BY THE BOARD:

A handwritten signature in cursive script, appearing to read "Helaine Knickerbocker".

Helaine Knickerbocker, Chairperson

A handwritten signature in cursive script, appearing to read "Selma R. Gottlieb".

Selma R. Gottlieb, Assoc. Commissioner



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The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 20, 1976

In the matter of the joint application for arbitration of a controversy between

MAX OKUN FURNITURE COMPANY

ARB. 113-1976

AND

LOCAL 1459, RETAIL CLERKS INTERNATIONAL ASSOC.

AFL-CIO

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments; and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Company violated Section 1. of Article Twelve by refusing to pay the grievants \$0.25 per hour wage increases. The Company shall pay the grievants said increases plus 6% interest per annum from December 1, 1975.

BY THE BOARD:

Handwritten signature of Helaine Knickerbocker in cursive.

Helaine Knickerbocker, Chairperson

Handwritten signature of Alford Dyson in cursive.

Alford Dyson, Assoc. Commissioner

Handwritten signature of Selma R. Gottlieb in cursive.

Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

July 20, 1976

In the matter of the joint application for arbitration of a controversy between

CHECKER TAXI COMPANY

AND

LOCAL #496

ARB. 128 - 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

There was just cause for the discharge of Steven Wilkins. The grievance is denied.

BY, THE BOARD:

Handwritten signature of Helaine Knickerbocker in cursive script.

Helaine Knickerbocker, Chairperson

Handwritten signature of Alford Dyson in cursive script.

Alford Dyson, Assoc. Commissioner

Handwritten signature of Selma R. Gottlieb in cursive script.

Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 21, 1976

In the matter of the joint application for arbitration of a controversy between
Maritime Terminal Inc.

and

Teamsters Union Local #59

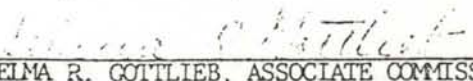
(Arb. 72-1976)

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

"There was not just cause for the discharge of James R. Hickney on 1/17/76. The Company is directed to restore said grievant to his prior job and make him whole for all work opportunities lost, without any loss of seniority or other contract benefits, and to do so forthwith.

BY THE BOARD:


ALFORD DYSON, ASSOCIATE COMMISSIONER


SELMA R. GOTTLIEB, ASSOCIATE COMMISSIONER



The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES
BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 21, 1976

In the matter of the joint application for arbitration of a controversy between
STURTEVANT & HOOK, INC.

AND

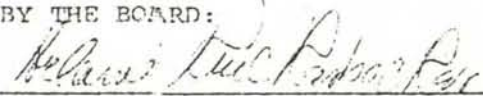
ARB. 92 - 1976

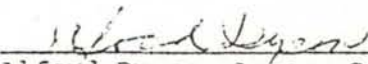
LOCAL UNION #59 TEAMSTERS

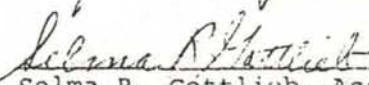
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

There was not just cause for the discharge of Raul Pina. The Company is directed to re-instate him without loss of seniority and make whole for all lost work opportunities, including wages, pension and welfare contributions retroactive to June 16, 1976.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Assoc. Commissioner


Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 21, 1976

In the matter of the joint application for arbitration of a controversy between

CITY OF CHELSEA

AND

LOCAL #937, INTERNATIONAL ASSOC. OF
FIREFIGHTERS


ARB. 98 - 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

1. "The City of Chelsea has acted in violation of the Agreement by transferring members of the Fire Department from one group to another to avoid the payment of overtime."
2. "The City is directed to pay for all lost overtime compensation to all individuals concerned and is ordered to cease and desist from continuing said practice."
3. "The grievance of Philip C. Dalis for loss of vacation time is denied."

BY THE BOARD:


Alford Dyson, Assoc. Commissioner


Selma R. Gottlieb, Assoc. Commissioner



*Review given
to the sent
on July 24*

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The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 21, 1976

In the matter of the joint application for arbitration of a controversy between

CITY OF CHELSEA

AND

LOCAL # 937 INTERNATIONAL ASSOC. OF
FIREFIGHTERS

ARB. 99 - 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

"The City of Chelsea did violate Article XIV Sections 1 and 2 by not paying John Mucci 4 hours reporting pay in accordance with the terms of the Labor Agreement.

The City of Chelsea is directed to pay John Mucci 4 hours reporting pay at time and one half.

BY THE BOARD:

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 21, 1976

In the matter of the joint application for arbitration of a controversy between

City of Chelsea

and

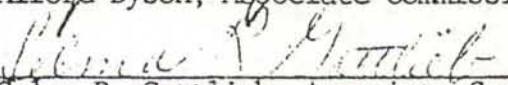
International Association of Firefighters Local #937 (Arb. 100-1976)

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

1. "The City of Chelsea is directed not to compel any Firefighter to work out of grade until it complies with Article 15 of the labor agreement, and that if a Firefighter works out of grade he must be compensated for the work performed at that grade.
2. The City of Chelsea is also directed to pay Captain Doherty at the rate of pay as Deputy Fire Chief during the period he served as the Deputy Fire Chief at the Fire Prevention Bureau."

BY THE BOARD:


Alford Dyson, Associate Commissioner


Selma R. Gottlieb, Associate Commissioner



Answer letters sent

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

July 22, 1976

In the matter of the joint application for arbitration of a controversy between

TOWN OF WEBSTER

AND

UNION LOCAL #495 AFL-CIO

ARB. 146-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE DISCHARGE OF THE GRIEVANT WAS IMPROPER. HE IS TO BE REINSTATED TO HIS POSITION WITH BACK PAY AND ALL OTHER BENEFITS OF EMPLOYMENT FROM THE DATE OF DISCHARGE, PROVIDED, HOWEVER, THAT THE AMOUNT PAYABLE BY THE TOWN SHALL BE REDUCED BY ALL MONIES RECEIVED FROM UNEMPLOYMENT COMPENSATION.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON July 28, 1976

In the matter of the joint application for arbitration of a controversy between

SHASTA BEVERAGES, INC.

AND

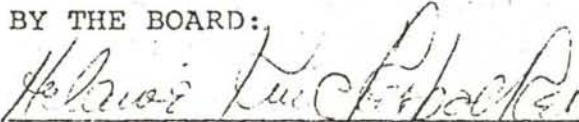
TEAMSTERS LOCAL UNION #59

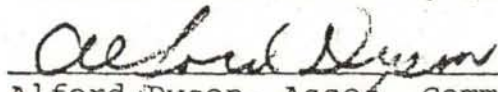
ARB. 112 - 1976


The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE GRIEVANCE IS WITHOUT MERIT AND IS DISMISSED.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Assoc. Commissioner


Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

August 12, 1976

In the matter of the joint application for arbitration of a controversy between

Brink's, Incorporated

and

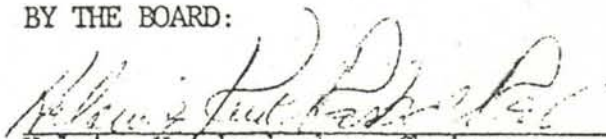
Teamsters Local Union No. 404

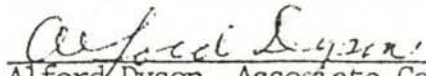
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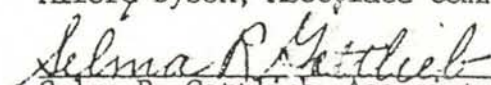
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

There was just cause for the discharge of Charles Dumas.
The grievance is denied.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Associate Commissioner


Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

August 25, 1976

In the matter of the joint application for arbitration of a controversy between

TOWN OF DIGHTON

AND


AFSCME COUNCIL #41, LOCAL 1646

Arb. 136-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE GRIEVANCE IS UPHELD. THE GRIEVANT IS ENTITLED TO SICK PAY FOR MARCH 5, 1976.

BY THE BOARD:


Alford Dyson, Associate Commissioner


Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

September 7, 1976

In the matter of the joint application for arbitration of a controversy between

LAWRENCE TECHNICAL IMPEX CORP.

AND

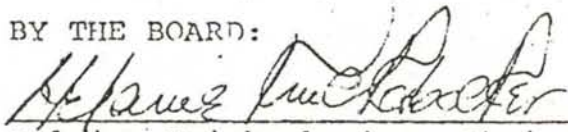
Arb. 125-1976

TEAMSTERS LOCAL UNION #49


The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Company violated Section XVII, Section f of the collective bargaining agreement by refusing to pay the grievants a minimum of three hours. The Company is ordered to pay the grievants for these three hours.

BY THE BOARD:


Helaine Krickerbocker, Chairperson


Alford Dyson, Assoc. Commissioner


Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

September 9, 1976

In the matter of the joint application for arbitration of a controversy between

H. A. JOHNSON COMPANY
AND

ARB. 158-1976

BAKERY & CONFECTIONERY WORKERS UNION, LOCAL #20

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE GRIEVANCE IS WITHOUT MERIT AND IS DISMISSED.

BY THE BOARD


Alford Dyson, Assoc. Commissioner


Selma R. Gottlieb, Assoc. Commissioner



1122
Annual letter
to D. Downes, Esq.
Mayor of Hingham
+ Chief Magistrate
(m)

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

September 22, 1976

In the matter of the joint application for arbitration of a controversy between

CITY OF WOBURN

AND

IBPO LOCAL 313

ARB. 124, 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE GRIEVANCE IS UPHOLD. THE CITY SHALL TRANSFER OFFICER GONZALES BACK TO THE FIRST SHIFT.

BY THE BOARD:

Handwritten signature of Helaine Knickerbocker in cursive script.

Helaine Knickerbocker, Chairperson

Handwritten signature of Alford Dyson in cursive script.

Alford Dyson, Associate Commissioner

Handwritten signature of Selma R. Gottlieb in cursive script.

Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

September 27, 1976

In the matter of the joint application for arbitration of a controversy between

STRIDE RITE CORP.

ARB. 150-1975

AND

BOOT AND SHOE WORKERS UNION AFL-CIO LOCAL 138

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE COMPANY DID NOT VIOLATE THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT BY REFUSING TO PAY THE GRIEVANTS FOR APRIL 8, 1975.

BY THE BOARD:

Handwritten signature of Helaine Knickerbocker in cursive script.

Helaine Knickerbocker, Chairperson

Handwritten signature of Alford Dyson in cursive script.

Alford Dyson, Assoc. Commissioner

Handwritten signature of Selma R. Gottlieb in cursive script.

Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

September 28, 1976

In the matter of the joint application for arbitration of a controversy between

NEW ENGLAND FOUNDRY

AND

INTERNATIONAL ASSOCIATION OF MACHINISTS

AND AEROSPACE WORKERS LOCAL LODGE NO. 2441

ARB. 152-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The discharge of the grievant was improper. He is to be reinstated to his position forthwith with no award of back pay or other contractual benefits from the date of discharge to the date of his return to work. In addition, he shall be on probation for six months, during which time he may be discharged for excessive absenteeism with no recourse by him or his union or its representatives.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner



10-1
Annually open
letter sent
21

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON September 28, 1976

In the matter of the joint application for arbitration of a controversy between

CLIQUOT CLUB CORPORATION

AND

TEAMSTERS UNION LOCAL 25

ARB. 160, 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

"THERE WAS JUST CAUSE FOR THE DISCHARGE OF ROBERT MCGOWAN.
THE GRIEVANCE IS DENIED."

BY THE BOARD:

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma Gottlieb
Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

September 30, 1976

In the matter of the joint application for arbitration of a controversy between

BOSTON FRUIT AND PRODUCE AUCTION CO., INC.

AND

TEAMSTERS UNION LOCAL NO. 25

ARE. 65 - 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE GRIEVANCE IS WITHOUT MERIT AND IS DISMISSED.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma R. Cottlieb
Selma R. Cottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 12, 1976

In the matter of the joint application for arbitration of a controversy between

STOP AND SHOP BAKERY

AND

BAKERY AND CONFECTIONERY WORKERS

LOCAL #20

ARB. 71 - 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The dismissal of the grievant was without just cause. He is to be reinstated without back pay forthwith. All references to the incident are to be removed from his file by THE BOARD.

Holaine Knickerbocker, Chairperson

Alfred Dyson
Alfred Dyson, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 15, 1976

In the matter of the joint application for arbitration of a controversy between

WESTWOOD CARTAGE

AND

LOCAL #42, TEAMSTERS

ARB. 82-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievant, Mr. Morgan, shall be paid for actual time worked on December 26, 1975, and for the holiday.

BY THE BOARD:

Helaine Knickerbocker

Helaine, Knickerbocker, Chairperson

Selma R. Gottlieb

Selma R. Gottlieb, Assoc. Commissioner

Alford Dyson

Alford Dyson, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON October 15, 1976

In the matter of the joint application for arbitration of a controversy between

Westwood Cartage
and
Local #42 Teamsters

ARB. 83-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The suspension was for just cause.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Lyson
Alford Lyson, Assoc. Commissioner

Selma Gettlieb
Selma Gettlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 15, 1976

In the matter of the joint application for arbitration of a controversy between

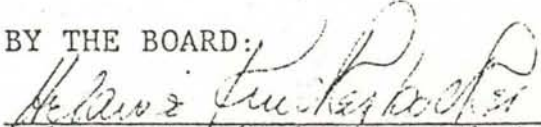
Westwood Cartage
and
Local 42 Teamsters

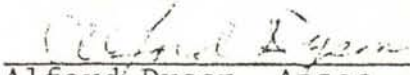
ARB. 85-1976

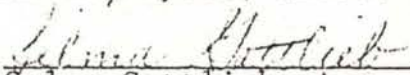
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The two week suspension was not justified. Said suspension shall be reduced to one day and Mr. Morgan shall be made whole for the remainder of the period for which he was suspended.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Assoc. Commissioner


Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 15, 1976

In the matter of the joint application for arbitration of a controversy between

Westwood Cartage
and
Local 42 Teamsters

ARB.123-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

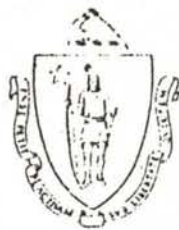
The suspension was not justified. Mr. Morgan is to be made whole for the three-day period.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma Gottlieb
Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 19, 1976

In the matter of the joint application for arbitration of a controversy between

HERTZ CORPORATION

AND

TEAMSTERS UNION LOCAL #841

ARB. 144-1975

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The termination of Giacomo Clemente did not violate the agreement between the Hertz Corporation and the International Brotherhood of Teamsters Local #841

BY THE BOARD:

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner

Alford Dyson
Alford Dyson, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 20, 1976

In the matter of the joint application for arbitration of a controversy between

FRITO LAY INC.

AND

BAKERY AND SALES DRIVERS & HELPERS LOCAL #686

ARB. 104-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is sustained. The Company is in violation of Article 5, Section 8 and Article 21, Section 4 of the labor agreement.

The Company shall make the Route Salesmen whole for any sales commission lost since November 2, 1975 as a result of their action.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner

Alford Dyson
Alford Dyson, Assoc. Commissioner

10-20-
cc - J. Dom Csg.
J. Padellaro B.H.
Frito Lay
n. jerry



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 21, 1976

In the matter of the joint application for arbitration of a controversy between

CLIQUOT CLUB
AND
LOCAL UNION #25

ARB. 3 - 1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Company did not violate Article 5, "Holidays," of the labor agreement by refusing to pay five men who did not work on Saturday, the day before the paid holiday.

BY THE BOARD:

Helaine Knickerbocker

Helaine Knickerbocker, Chairperson

Selma R. Gottlieb

Selma R. Gottlieb, Assoc. Commissioner

Alford Dyson

Alford Dyson, Assoc. Commissioner



*Forwarded
letter sent
10/26/76*

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ~~ARBITRATION~~

BOSTON

October 26, 1976

In the matter of the joint application for arbitration of a controversy between

TOWN OF TEWKSBURY
AND
TEWKSBURY FIRE FIGHTERS
LOCAL #1647 - IAFF

ARB. 134-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Town shall cease and desist from refusing to replace firefighters man for man for EMT training and shall reimburse for all overtime compensation lost those firefighters who were denied said compensation during EMT training commencing March 8, 1976. The Board shall retain jurisdiction for the purpose of ascertaining damages and the beneficiaries thereof if requested to do so by either party within four weeks of the award.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma R. Gottlieb
Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 27, 1976

In the matter of the joint application for arbitration of a controversy between


THE HERTZ CORPORATION
AND
TEAMSTERS LOCAL #841


ARB. 74 - 1975

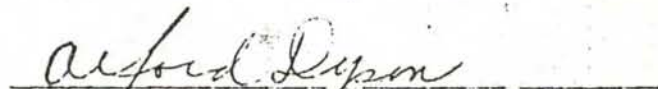
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is without merit and is dismissed.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Selma R. Gottlieb, Assoc. Commissioner


Alford Dyson, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

October 28, 1976

In the matter of the joint application for arbitration of a controversy between

CLIQUOT CLUB

AND

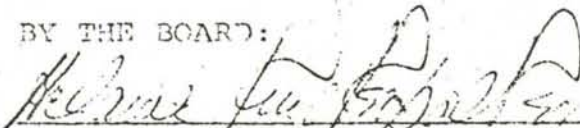
TEAMSTERS UNION LOCAL NO. 25


ARB. 12 - 1977

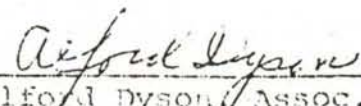
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is denied.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Selma R. Gottlieb, Assoc. Commissioner


Alford Dyson, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

November 2, 1976

In the matter of the joint application for arbitration of a controversy between

TOWN OF AUBURN
AND

TEAMSTERS UNION LOCAL #170

ARB. 11A-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE GRIEVANCE IS DISMISSED.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma Gottlieb
Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

November 2, 1976

In the matter of the joint application for arbitration of a controversy between

TOWN OF AUBURN

AND

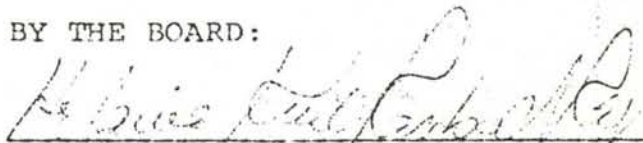
TEAMSTERS UNION LOCAL #170

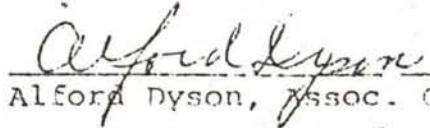
ARB. 11B - 1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

Officer Roland is to be paid at his regular rate of pay for all hours worked on May 20, 1976 while working at the polls.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Assoc. Commissioner


Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

November 2, 1976

In the matter of the joint application for arbitration of a controversy between

TOWN OF AUBURN

AND

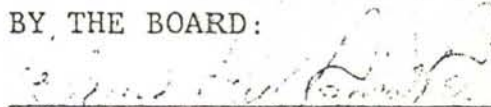
TEAMSTERS UNION LOCAL #170

ARB. 11-1977 (C)


The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is dismissed.

BY THE BOARD:


HELAINE KNICKERBOCKER, CHAIRPERSON


ALFORD DYSON, ASSOC. COMMISSIONER


SELMA GOTTLIEB, ASSOC. COMMISSIONER



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

November 5, 1976

In the matter of the joint application for arbitration of a controversy between

CITY OF MARLBORO

AND

NAGE Local RI-219

ARB 135-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is dismissed.

BY THE BOARD:

A handwritten signature in cursive script, appearing to read "Helaine Knickerbocker".

Helaine Knickerbocker, Chairperson

A handwritten signature in cursive script, appearing to read "Alford Dyson".

Alford Dyson, Assoc. Commissioner

A handwritten signature in cursive script, appearing to read "Selma R. Gottlieb".

Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

November 5, 1976

In the matter of the joint application for arbitration of a controversy between

NORWOOD SCHOOL COMMITTEE

AND

NORWOOD PUBLIC SCHOOL JR. CUSTODIANS ASSOC.

AFFILIATED WITH AFSCME AFL-CIO

ARB. 138-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The release of the CETA employee employed as a custodian at the Aaron Guild School did not create a vacancy under Article II, Section 10 of the collective bargaining agreement.

BY THE BOARD:

A handwritten signature in cursive script, appearing to read "Helaine Knickerbocker".

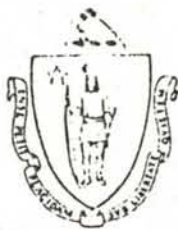
Helaine Knickerbocker, Chairperson

A handwritten signature in cursive script, appearing to read "Alford Dyson".

Alford Dyson, Assoc. Commissioner

A handwritten signature in cursive script, appearing to read "Selma R. Gottlieb".

Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

December 1, 1976

- In the matter of the joint application for arbitration of a controversy between
- Lily Transport Lines, Inc.,
- and
- Teamsters, Chauffeurs, Warehousemen & Helpers of America ARB. 1-1977
- Local #49

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The dismissal of the grievant was improper. He is to be reinstated to his position forthwith with no award of back pay or other contractual benefits from the date of discharge to the date of his return to work. In addition, he shall be on probation for six months, during which time he may be discharged for excessive speeding with no recourse by him or his union or its representatives.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma Gottlieb
Selma Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

December 2, 1976

In the matter of the joint application for arbitration of a controversy between

FRIONOR KITCHENS, INC.

AND

TEAMSTERS LOCAL UNION # 59

ARB. 38-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievant Laverne Gomes is entitled to the holiday pay for Columbus Day. The Company shall forthwith pay her for that holiday.

BY THE BOARD:

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner

Alford Wyson
Alford Wyson, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

December 13, 1976

In the matter of the joint application for arbitration of a controversy between

CITY OF FALL RIVER

AND

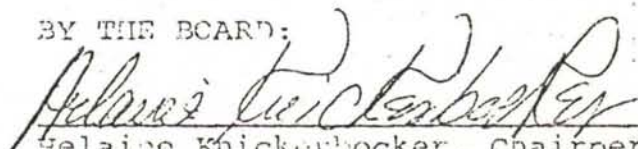
ARB. 15 - 1977

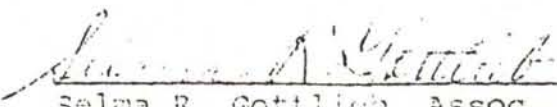
TEAMSTERS UNION LOCAL #526

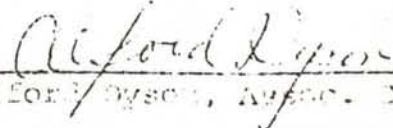
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

Effective retroactively to January 1, 1975, Joseph A. Guillemette shall be reclassified from Acting General Foreman to General Foreman at the rate of \$289.50 per week.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Selma R. Gottlieb, Assoc. Commissioner


Alford Dyson, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

December 15, 1976

In the matter of the joint application for arbitration of a controversy between

TEXTILE SHIELD CO. INC.

AND

ARB. 34 - 1976

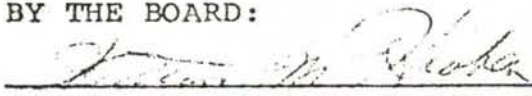
DIRECTLY AFFILIATED LOCAL UNION #24058

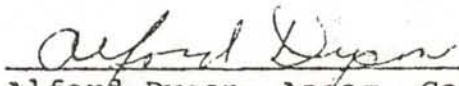
AFL-CIO

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

"THE GRIEVANT THOMAS WHITE IS ENTITLED TO VACATION PAY IN ACCORDANCE WITH THE BENEFIT SET FORTH IN ARTICLE IV OF THE CONTRACT. THE EMPLOYER SHALL PAY THE GRIEVANT SAID APPLICABLE VACATION PAY FORTHWITH. THE EMPLOYER SHALL ALSO COMPLY WITH ARTICLE II SENIORITY IN THE CONTRACT WITH REGARD TO THE GRIEVANT FORTHWITH!"

BY THE BOARD:


William M. Hooben, Assoc. Commissioner


Alford Dyson, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

December 22, 1976

In the matter of the joint application for arbitration of a controversy between

TOWN OF NORWOOD

and

AMERICAN FEDERATION of STATE, COUNTY and MUNICIPAL EMPLOYEES
COUNCIL #41

ARB. 139 - 1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Town is in violation of Section 4 of the collective bargaining agreement and that the grievant is entitled to seniority in accord with the terms of the collective bargaining agreement, and that he shall be transferred to the public works department forthwith.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Comm.



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON December 28, 1976

In the matter of the joint application for arbitration of a controversy between

West Springfield School Committee
and

West Springfield Education Association (MTA) Arb. 9-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievant was not suspended for just cause.
He shall receive back pay for the period of
suspension forthwith.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Samuel A. Galt
Samuel A. Galt, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

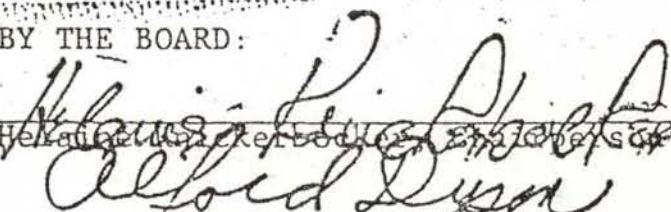
BOSTON December 30, 1976

In the matter of the joint application for arbitration of a controversy between
Jacob Ruppert d/b/a Forrest Brewing Company
and
Teamsters Local Union #59 Arb. 22-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance by the union is dismissed.
The request by the Company to rectify the overpayment is denied.

BY THE BOARD:


Alford Dyson, Associate Commissioner


Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON December 30, 1976

In the matter of the joint application for arbitration of a controversy between

Town of Spencer
and

Local 495, Service Employees Int'l. Union, AFL-CIO Arb. 23-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

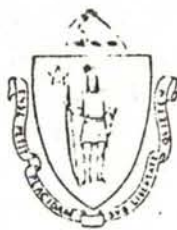
The non-union members of the highway department, Norman Bouchard, Ronald Pritze, and Frederick Davis, must pay the agency fee within ten days of the date that this award is rendered or the Town shall terminate them forthwith.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Samuel P. Pettibone
Samuel P. Pettibone, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

December 30, 1976

In the matter of the joint application for arbitration of a controversy between

Town of Walpole (DPW)

and

AFSCME

Arb. 30 B-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

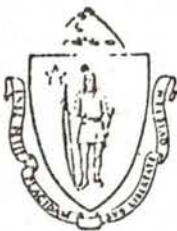
"The grievant, John Murray, is entitled to receive longevity pay in accordance with the provisions of Article X of the labor agreement forthwith."

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON January 5, 1976

In the matter of the joint application for arbitration of a controversy between

Town of Walpole (DPW)

and

AFSCME

Arb. 30-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is denied.

BY THE BOARD:

Helaine Amick
Helaine Amick, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON January 5, 1977

In the matter of the joint application for arbitration of a controversy between

Town of Walpole (DPW)

and

AFSCME

Arb. 30-1976

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

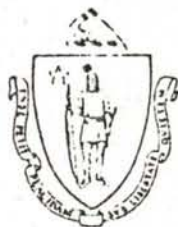
The grievance is denied.

BY THE BOARD

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commission



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

January 6, 1977

In the matter of the joint application for arbitration of a controversy between

H. H. BROWN SHOE COMPANY

and

UNITED SHOE WORKERS OF AMERICA AFL-CIO LOCAL #24 Arb. 19-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

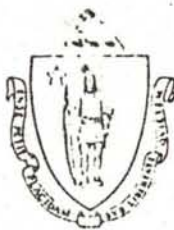
The Company is currently paying the proper rate for stitching back stays on lined shoes.

ARBITRATION BOARD

William P. Dwyer
William P. Dwyer, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON January 10, 1977

In the matter of the joint application for arbitration of a controversy between

CITY OF FALL RIVER

and

Arb. 14-1977

TEAMSTERS UNION LOCAL #526

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The weekly salaries of the general foremen in the Department of Public Works should not be adjusted upwards by \$13 retroactive to January 1, 1975.

BY THE BOARD:

Helaine Knickerbocker

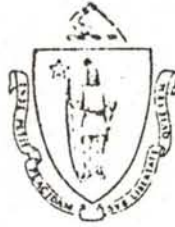
Helaine Knickerbocker, Chairperson

Alfred Dyson

Alfred Dyson, Associate Commissioner

Selma R. Gottlieb

Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

January 11, 1977

In the matter of the joint application for arbitration of a controversy between

BOSTON METAL DOOR COMPANY

and

UNITED BROTHERHOOD of CARPENTERS AND JOINERS OF AMERICA Arb.18-7

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

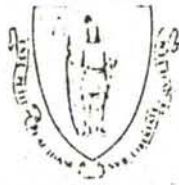
The grievance is not arbitrable.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON January 19, 1977

In the matter of the joint application for arbitration of a controversy between

CLIQUOT CLUB CORPORATION

and

TEAMSTERS UNION, LOCAL NO. 25

Arb. 37-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

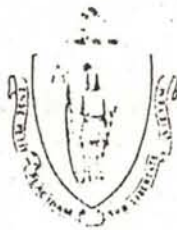
"The company is in violation of the seniority provisions of the collective bargaining agreement. The company is directed to transfer the grievant, Thomas Neault, to the first shift."

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

January 20, 1977

In the matter of the joint application for arbitration of a controversy between

JOHN S. LANE & SON, INC.

and

INTERNATIONAL UNION OF OPERATING ENGINEERS-LOCAL 98 Arb.41-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is without merit and is dismissed.

BY THE BOARD:

Holaine Knickerbocker
Holaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissione



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON January 20, 1977

In the matter of the joint application for arbitration of a controversy between

METROPOLITAN GREETINGS, INC.


and

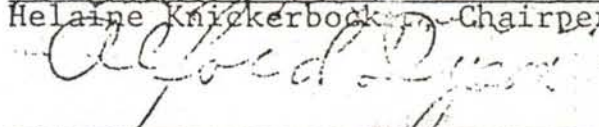
LOCAL #580-A affiliated with RETAIL, WHOLESALE AND DEPARTMENT
STORE UNION AFL-CIO Arb. 31-1977


The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The discharge of David Palmer was for just cause. The grievance is dismissed.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Associate Commissioner


Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON January 26, 1977

In the matter of the joint application for arbitration of a controversy between

THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC.

and

TEAMSTERS LOCAL UNION #404

Arb. 27-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The company did not violate Article XI "Severance Pay" in the contract. The company shall pay severance pay to the nine (9) most senior employees who were laid off.

NAMES

Anthony Minich, Raymond Jenness, Robert Garelli, Peter Richardson, Stanley Pliska, Marcel Bienvenu, William Sweetman, Herbert McKay, Edmund Domgala.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Comm.



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

February 1, 1977

In the matter of the joint application for arbitration of a controversy between

WEST SPRINGFIELD SCHOOL COMMITTEE

AND

WEST SPRINGFIELD EDUCATION ASSOCIATION

(NTEA)

APP. 10-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

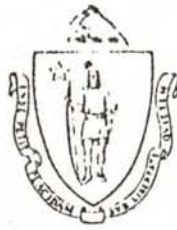
The School committee violated Article IX of the collective bargaining agreement with respect to Rene Borge. The School Committee is directed as soon as practicable but no later than September, 1977, to reinstate him for an additional year, such year being deemed to take place as if there were no break in service, with back pay from September, 1976 (less income earned during this period) and with full rights and benefits. It is understood that the School committee will comply with the terms of the agreement.

BY THE BOARD:

Helen Knickerbocker
Helen Knickerbocker, Chairperson

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner

Alfred J. Ryan
Alfred J. Ryan, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

February 2, 1977

In the matter of the joint application for arbitration of a controversy between

Town of Walpole

and

AFSCME Council 41, AFL-CIO

ARB.40-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Town of Walpole violated the preamble of the collective bargaining agreement by suspending David Bacon without pay for five days commencing August 30, 1976. It shall rescind the suspension forthwith and make him whole for said period.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma R. Gottlieb
Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

February 4, 1977

In the matter of the joint application for arbitration of a controversy between

TOWN OF WALPOLE

AND

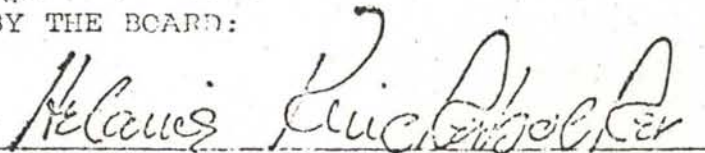
AFSCME Local #1957


ARB. 33 - 1977


The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is without merit and is dismissed.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Selma R. Gattlieb, Assoc. Commissioner


Alford Dyson, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

In the matter of the joint application for arbitration of a controversy between

February 24, 1977

NORTHEAST METROPOLITAN REGIONAL

VOCATIONAL SCHOOL COMMITTEE

AND


ARB.35-1977

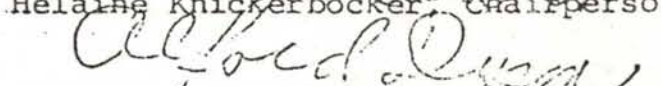
TRUCK DRIVERS, CHAUFFEURS AND
HELPERS UNION, LOCAL NO.42

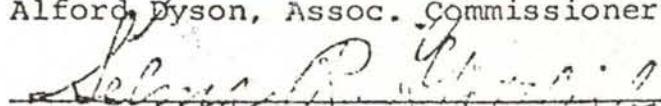
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

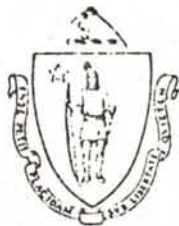
The grievant was not discharged for just cause. He shall be reinstated forthwith to his former position with back pay and all rights and benefits less any monies he may have received.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Assoc. Commissioner


Selma Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON February 25, 1977

In the matter of the joint application for arbitration of a controversy between

Town of Westborough
and

International Brotherhood of Police Officers, Local 439
(Arb. 17-1977)

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Town violated the terms of the collective bargaining agreement by unilaterally restricting the employees in working paid details and overtime. The Town shall rescind the July 1, 1976 order limiting bargaining unit employees to no more than 24 hours overtime or paid details in a seven-day period. The Town shall compensate members of the bargaining unit for those hours of extra duty which they would have worked had the 24 hour limitation not been in effect, said compensation to be equitably distributed among those employees of the bargaining unit who traditionally volunteer for overtime and paid details. The Board will retain jurisdiction for the purpose of ascertaining the amount of damages and the beneficiaries thereof, if requested to do so by either party within four weeks of the award.

BY THE BOARD:

Selma R. Gottlieb
Selma R. Gottlieb Assoc. Comm.

Helaine Enickerbocker
Helaine Enickerbocker, Chairperson
Alford D. Dyer
Alford D. Dyer, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON February 26, 1977

In the matter of the joint application for arbitration of a controversy between

Town of Swansea

and

AFSCME Police Local #401

Arb. 24 - 1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Town of Swansea has violated the collective bargaining agreement by not awarding Officer Edward Ducey Badge #9 and recognizing Officer Ducey's seniority over Officer William Carey. It is ordered that the Town of Swansea award Officer Ducey Badge #9 and that the Town recognize Officer Ducey's seniority over Officer William Carey forthwith.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON February 28, 1977

In the matter of the joint application for arbitration of a controversy between

Wareham School Committee

and

Wareham Education Association

Arb. 151-1976

Stipulated Award

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The parties have agreed to the following stipulated award:

1. The Wareham School Committee shall pay to Mrs. Joanne Outchcunis the net amount of \$1,288.76 for sick leave used as a result of actual physical disability due to pregnancy and childbirth. This sum represents the gross amount of \$1,838.40 less deductions of \$363.60 for Federal Income Tax, \$94.12 for State Income Tax, and \$91.92 for the Teachers' Retirement Fund.
2. This stipulation is without prejudice to the position of either the Wareham School Committee or the Wareham Education Association in any future similar dispute.

By the Board:

Helaine Knickerbocker, Chairperson

Selma R. Gottlieb, Assoc. Comm.

Alford Dyson, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON February 28, 1977

In the matter of the joint application for arbitration of a controversy between

MARITIME TERMINAL INC.,

ARB. 21 - 1977

AND

TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS
LOCAL UNION #59

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The company did not violate Article 20 of the collective bargaining agreement. The grievance is without merit and is dismissed.

By the Board:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner

Alford Dyer
Alford Dyer, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

March 3, 1977

In the matter of the joint application for arbitration of a controversy between

Hyde Athletic Industries
and

Boot & Shoe Workers Union AFL-CIO-CLC Local 138
(Arb. #7-1977)

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is without merit and is dismissed.
The company is not required to pay employees on piece rates no less than their former hourly earnings.

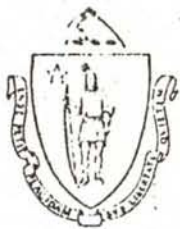
BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Comm.

Award Letter sent



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

March 10, 1977

In the matter of the joint application for arbitration of a controversy between

LEOMINSTER SCHOOL COMMITTEE

AND

LEOMINSTER EDUCATION ASSOCIATION
UNIT B

ARB. 47 -- 1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

THE GRIEVANCE IS WITHOUT MERIT AND IS DISMISSED.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner

Alford Dyson
Alford Dyson, Assoc. Commissioner



issued letter sent 3/23/77

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

In the matter of the joint application for arbitration of a controversy between
NORTHAMPTON SCHOOL COMMITTEE
AND
NORTHAMPTON TEACHERS ASSOCIATION

March 22, 1977

ARB. 51-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Northampton School Committee is in violation of the collective bargaining agreement in its computation of vacation due Mrs. Linda Ryan. The Northampton School Committee is directed within ten days from the receipt of this award to pay the grievant the third week's vacation to which she was entitled in July, 1976.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Assoc. Commissioner

Selma R. Gottlieb
Selma Gottlieb, Assoc. Commissioner



award letters sent

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

March 23, 1977

In the matter of the joint application for arbitration of a controversy between

Stride Rite Corporation
and

Boot and Shoe Workers Union AFL-CIO Local #138

Arb. 5-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The new piece work price for the Wexford Vamp of \$2.76 per hundred pairs is proper. The company shall pay the new piece work price, retroactive from the date of the grievance.

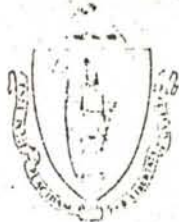
BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Commissioner

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The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON March 23, 1977

CORRECTED FRONT SHEET

In the matter of the joint application for arbitration of a controversy between

Maritime Terminal Inc.

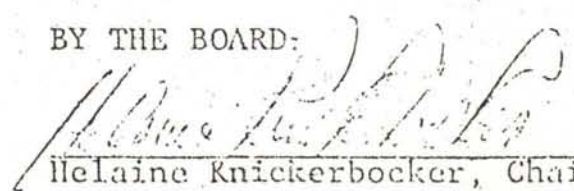
and


Teamsters, Chauffeurs, Warehousemen and Helpers Local Union #59
(Arb. 73-1977)

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

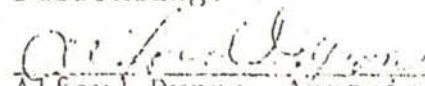
Mr. Hickney was discharged without just cause.
After a suspension of one week commencing with
January 31 he is to be reinstated with back pay
less monies earned, with seniority rights and other
benefits unimpaired.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Selma R. Gottlieb, Associate Commission

Dissenting:


Alford Dyson, Associate Commissioner

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON March 24, 1977

In the matter of the joint application for arbitration of a controversy between:

Alden Corrugated Container Corp.
and

United Paperworkers Int'l. Union AFL-CIO Local #408 Arb.59-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is without merit and is dismissed.

BY THE BOARD:

H. J. A.
Helaine Kiekerbocker, Chairperson

Alfred Dyson
Alfred Dyson, Associate Commissioner

Felma R. Gottlieb
Felma R. Gottlieb, Associate Commissioner

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The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

April 4, 1977

In the matter of the joint application for arbitration of a controversy between

BERKLEE COLLEGE OF MUSIC, INC.

AND


SERVICE EMPLOYEES INTERNATIONAL UNION
LOCAL 254 AFL-CIO


ARB. 58 - 1977


The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The College is in violation of Article III of the collective bargaining agreement. The College shall pay to the Union Mr. Light's initiation fee and dues from December 9, 1976 through the day that he either joins the union or is discharged for continued refusal to join.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Selma R. Gottlieb, Associate Commissioner


Alford Dyson, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

April 4, 1977

In the matter of the joint application for arbitration of a controversy between

BERKLEE COLLEGE OF MUSIC, INC.

AND


SERVICE EMPLOYEES INTERNATIONAL UNION
LOCAL 254 AFL-CIO

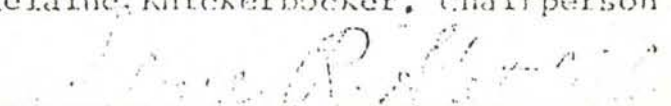
ARB. 58 - 1977


The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The College is in violation of Article III of the collective bargaining agreement. The College shall pay to the Union Mr. Light's initiation fee and dues from December 9, 1976 through the day that he either joins the union or is discharged for continued refusal to join.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Selma R. Gottlieb, Associate Commissioner


Alford Dyson, Associate Commissioner



*Amended & open
letter sent
to Mr. Parnell
& Mr. Satter
4#*

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

April 13, 1977

In the matter of the joint application for arbitration of a controversy between

PILGRIM LAUNDRY

AND

TEAMSTERS UNION LOCAL NO. 25

ARB. 75 - 1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievant was not discharged for just cause. He shall be reinstated forthwith with back pay and all rights and benefits and unimpaired seniority less monies earned.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner

Alford Dyson
Alford Dyson, Assoc. Commissioner



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Letter sent

The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

April 14, 1977

In the matter of the joint application for arbitration of a controversy between

TOWN OF NORWOOD

and

AFSCME AFL-CIO COUNCIL 41 LOCAL 1395 Arb. 36-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

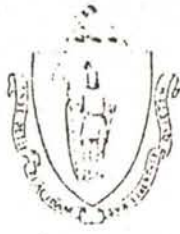
The grievance is without merit and is denied.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON April 22, 1977

In the matter of the joint application for arbitration of a controversy between

BERKLEE COLLEGE OF MUSIC, INC.

and

SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 254 AFL-CIO
(Arb. 92-1977)

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is arbitrable.

The College is in violation of Article III of the collective bargaining agreement. The College shall pay to the union Mr. Muller's dues from the date he ceased to pay through the date that he either rejoins the union or is discharged for continued refusal to join.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Seima R. Gottlieb
Seima R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON April 26, 1977

In the matter of the joint application for arbitration of a controversy between

Hemingway Transport Inc. and Office Employees International
Union Local No. 6 AFL-CIO , Arb. 68-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

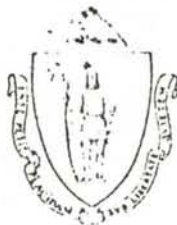
The suspension of Mickey Manson was without just cause. He shall be reimbursed and all rights and benefits restored to him for the period of the suspension. The letter of discharge and any and all references thereto shall be removed from the company records.

BY THE BOARD:

Helen M. Mickerbocker
Helen Mickerbocker, Chairperson

Alford Byson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON May 5, 1977

In the matter of the joint application for arbitration of a controversy between

NORTHEAST METROPOLITAN REGIONAL VOCATIONAL SCHOOL COMMITTEE

AND


ARB. 50 - 1977

THE NORTHEAST TEACHERS ASSOCIATION

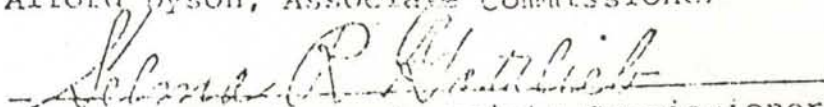
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

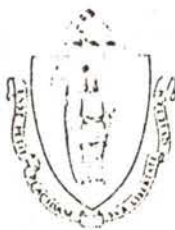
The Northeast Metropolitan Regional Vocational School Committee is in violation of Article XIII, Section E of the Collective Bargaining Agreement. The School Committee is hereby ordered to desist from requiring reasons for personal days as a prerequisite to granting them.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Associate Commissioner


Selma R. Cottlieb, Associate Commissioner

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The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON May 5, 1977

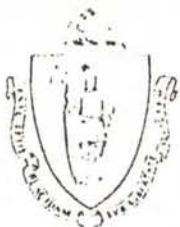
*In the matter of the joint application for arbitration of a controversy between*Eastern Company d/b/a Eastco
andInternational Brotherhood of Teamsters, Chauffeurs, Warehousemen
and Helpers, Local No. 504 Arb. 63-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is timely. The discharge was without just cause. The grievant shall be reinstated forthwith with back pay and with full rights and benefits and seniority unimpaired less monies earned.

BY THE BOARD:

Helaine Knickerbocker, Chairperson
Allford Dyson, Associate Commissioner
Selma R. Gottlieb, Associate Commissioner



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The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON May 13, 1977

In the matter of the joint application for arbitration of a controversy between

BICKNELL FULLER CORRUGATED CONTAINER

AND

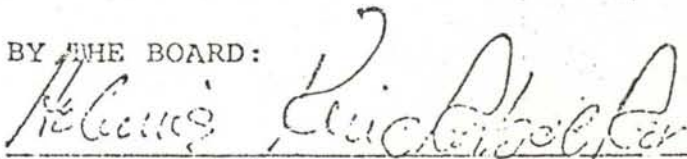
ARB. 79 - 1977

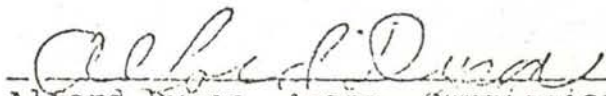
UNITED PAPERWORKERS INTERNATIONAL UNION
LOCAL #837 AFL-CIO

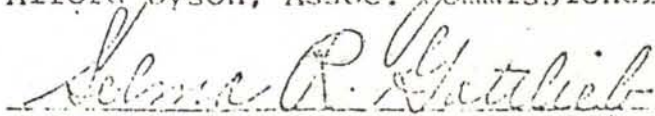
The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is without merit and is dismissed.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Assoc. Commissioner


Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON May 16, 1977

In the matter of the joint application for arbitration of a controversy between

NORTHEAST TEACHERS ASSOCIATION

and

NORTHEAST REGIONAL VOCATIONAL SCHOOL COMMITTEE

ARB. 28-1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The grievance is not time-barred. The School Committee violated the collective bargaining agreement when they assigned the licensed practical nurse instructors to work during the summer of 1976. The School Committee shall cease and desist from requiring the instructors to work during the summer for the duration of the contract.

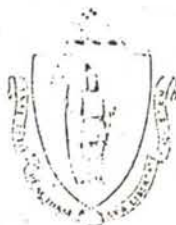
BY THE BOARD:

Melanie Knickerbocker
Melanie Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Associate Commissioner

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The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

May 25, 1977

In the matter of the joint application for arbitration of a controversy between

WORCESTER COUNTY HOSPITAL

and

SERVICE EMPLOYEES INTERNATIONAL UNION AFL-CIO LOCAL 495 (Arb.70-197

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The discharge is without just cause. The grievant shall be reinstated with full compensation for lost time and full restoration of all other rights and conditions of employment.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alford Dyson
Alford Dyson, Associate Commissioner

Solman R. Gottlieb
Solman R. Gottlieb, Associate C



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON May 25, 1977

In the matter of the joint application for arbitration of a controversy between

COLUMBIA MANUFACTURING COMPANY

and

BICYCLE WORKERS FEDERAL LABOR UNION NO. 20291 (Arb. 72-1977)

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The discharge of Keith Hellyar was without just cause. The Company is directed to reinstate Keith Hellyar to his former position with full restoration of all monies and benefits to which he would have been entitled from the date of discharge.

BY THE BOARD:

Helaine Knickerbocker
Helaine Knickerbocker, Chairperson

Alfred Dyson
Alfred Dyson, Associate Commissioner

Selma R. Gottlieb
Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

June 15, 1977

In the matter of the joint application for arbitration of a controversy between

GENERAL SAND AND STONE CORPORATION

AND

ARB. 82-1977

TEAMSTERS LOCAL UNION #404

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Company is in violation of Article XI (E) of the collective bargaining agreement.

The Company shall pay the grievants the proper rate in accordance with the terms of the applicable "Heavy and Highway" agreement for all hours worked for which they have not previously paid.

BY THE BOARD:

Helaine Knickerbocker
HELAINE KNICKERBOCKER, CHAIRPERSON

Alford Dyson
ALFORD DYSON, ASSOC. COMMISSIONER

Selma R. Gottlieb
SELMA R. GOTTLIEB, ASSOC. COMMISSIONER



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

June 15, 1977

In the matter of the joint application for arbitration of a controversy between

O.R. COTE COMPANY

AND

TEAMSTERS LOCAL UNION No. 404

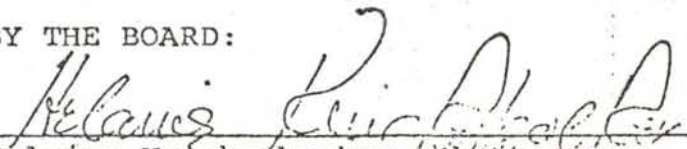
ARB. 90 - 1977

The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

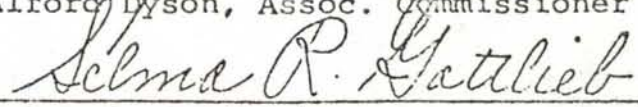
The grievant was discharged for just cause.

The grievant is denied.

BY THE BOARD:


Helaine Knickerbocker, Chairperson


Alford Dyson, Assoc. Commissioner


Selma R. Gottlieb, Assoc. Commissioner



The Commonwealth of Massachusetts

DEPARTMENT OF LABOR AND INDUSTRIES

BOARD OF CONCILIATION AND ARBITRATION

BOSTON

June 29, 1977

In the matter of the joint application for arbitration of a controversy between

TOWN OF SWANSEA

AND

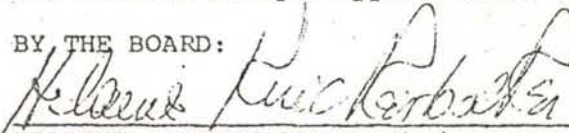
ASSOCIATION OF FEDERAL, STATE, COUNTY AND MUNICIPAL EMPLOYEES,
COUNCIL #41 AFL-CIO

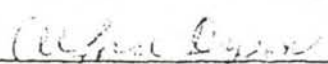
ARB. 84-1977


The Board, having afforded the Employer and the Union full opportunity to present testimony, exhibits and arguments, and to examine and cross-examine witnesses at the hearing, has considered the issue (s) submitted by the parties, and having studied and weighed the evidence bearing on the issue (s), awards as follows:

The Town of Swansea is in violation of the collective bargaining agreement by refusing to promote the senior man to sergeant. The Town is directed to promote Officer Hamel to the position of sergeant and restore Officer Carey to his former rank. The Town is further directed to pay Officer Hamel the difference between the sergeant's rate of pay and his present rate of pay retroactive to the date of Officer Carey's appointment.

BY THE BOARD:


HELAINÉ KNICKERBOCKER, Chairperson


ALFORD DYSON, Associate Commissioner


SELMA R. GOTTLIEB, Associate Commissioner

* * * * *
CITY OF LAWRENCE
AND
AFSCME
* * * * *

Discharge
Charles Hardacre Jr.
A-43-1977

STIPULATED AWARD

The stipulated award is as follows:

1. The City will pay a lump sum payment of \$500. In consideration therefore, Mr. Hardacre and the Union agree to drop their demand for reinstatement as an employee of the City along with any other claim relative the City's failure to select Mr. Hardacre from a Civil Service list for permanent appointment.
2. This stipulated award does not constitute an admission of contract violation by the City and will not be deemed a precedent in any future case.
3. All other claims relating to the grievance are denied.
4. This stipulated award does not constitute a waiver of the rights of the Union or the City to insist on future performance of the contract language dealing with disciplinary issues.

Board of Conciliation and Arbitration

Date: